



Public Comment #31

County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

BOS Rcvd. 5-16-2022

Please publicly post Public Comments - 5/17/22 BOS Agenda Item #31 - Mt. Murphy Bridge

Melody Lane <melody.lane@reagan.com>

Mon, May 16, 2022 at 3:46 PM

To: Kim Dawson <Kim.Dawson@edcgov.us>, edc.cob@edcgov.us

Cc: bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

The County professes to be committed to Good Governance and Core values, however it is a rarity that citizens ever have a chance to experience any authentic transparency or accountability.

The attached PRA requesting the Power Point Presentation made during the 5/12/22 Mt. Murphy Bridge Town Hall and the obstructionism demonstrated by Rafael Martinez is another example of DOT's perpetual Bureaucratic Shenanigans.

Also attached is correspondence addressed to Lori Parlin concerning errors in the 5/5/22 CLAC minutes. There has been no response from Ms. Parlin. This is directly relevant to the Mt. Murphy Bridge Power Point Presentation involving the construction of boardwalks that would go through the old Sierra Nevada House property recently acquired by Howard Penn. During the CLAC meeting there was considerable discussion about annexation of Henningson Lotus Park and other properties to the Marshall Gold Discovery Park. Obviously Howard has a conflict of interest, not to mention his own agenda, nor would CLAC abide by the Brown Act. This is significant since Howard Penn appears to be acting as an agent for Lori Parlin which brings up FPPC and ethics violations. There is also the matter of Howard Penn's role in getting me removed from CLNews.

Note as well the 7/15/11 letter regarding the unacceptable condition of Mt. Murphy Road, public safety and related DOT issues that have been perpetually kicked down the road for decades by DOT and CA State Parks.

It is irresponsible to spend **\$17M on The Mt. Murphy Bridge-To-Nowhere** when the road conditions quickly deteriorate making it impossible to drive more than 5 mph. This public safety concern has been expressed by residents for decades, especially in the event of yet another Mt. Murphy fire necessitating rapid evacuations, but we have never received appropriate answers/solutions from county representatives.

Melody Lane

Founder – Compass2Truth

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a

citizenry can only hold its government accountable if it knows when the government oversteps its bounds. ~ John Whitehead ~

3 attachments



5-12-22 DOT Mt Murphy Bridge presentation.doc
67K



CLAC HLP Drone MMBridge CLNews 5-12-22.docx
264K



7-15-11 MGDP_DOT_EDSO.doc
102K



COMPAS

Citizens Organized to Monitor Protect And Serve, Inc.

P.O. Box 598
Coloma, CA 95613
(530) 642-1670
melodylane@calis.com

July 15, 2011

TO: Jim Ware, Director DOT
Jeremy McReynolds, Superintendent Marshall Gold Discovery State Historic Park

CC: Sheriff John D'Agostini
Congressman Tom McClintock
Senator Ted Gaines
Assemblywoman Beth Gaines

**RE: Meeting 7/12/11 with Marshall Gold Discovery Historic State Park & DOT
Proposed Meeting with EDC Sheriff's Office**

Gentlemen,

Thank you for your time and consideration during our meeting and walking tour of Mt. Murphy on Tuesday morning. I appreciate the recap sent by Jeremy. However there remain several issues requiring further discussion and clarification highlighted below.

It was apparent during our excursion that both Mt. Murphy and Bayne Roads are degenerating into public hiking trails. This raises a valid concern about the effective utilization of property taxes to maintain county roads within our historic district. **The number of times we had to get out of the path of vehicles underscored citizen concerns about safety, code and law enforcement.**

The various aspects of public safety and land management that we discussed were initially broached during the 9/5/07 meeting held in the Marshall Gold Discovery Museum. With the support of Congressman Doolittle, representatives from the offices of Senator Cox, Assemblyman Gaines and CA State Parks were present. The primary purpose of our meeting was to coordinate services and improve community relations. **It is significant that Supervisor Briggs, American River Conservancy, Sheriff Jeff Neves and Fire Chief Bill Holmes refused to participate in that important meeting. It's now been nearly four years without making any headway.**

The topics we addressed are relevant to the River Management Advisory Committee (RMAC) and the execution of the River Management Plan (RMP). These matters are vetted at monthly meetings prior to RMAC representatives making their recommendations to the Board of Supervisors. As you've been made aware, these meetings have a long history of being very contentious. **Pertinent information regarding public safety, transparency and accountability have been typically diverted, obfuscated or censored from the minutes thus depriving the public of their right-to-know. The public plays a crucial role in the RMP process; however residents have typically been intimidated and/or discouraged from participating in these public meetings where Bagley-Keene and Brown Act violations abound.**

Lack of **Code and Law Enforcement** in the Coloma region is a primary concern of residents that has been frequently expressed during RMAC meetings but typically avoided. **For this reason I have copied Sheriff D'Agostini to encourage his active involvement in future meetings to address relevant issues.**

During our hike on Tuesday Jim indicated that he was not familiar with the function of RMAC. It is important to understand the RMP is a vital element of both the EDC General Plan and the Parks & Trails Master Plan.

A hard copy of the RMP may be obtained through Greg Stanton or Gerry Silva in Environmental Management, or you can refer to the RMAC website:

http://www.co.el-dorado.ca.us/Government/EMD/Rivers/River_Advisory_Committee.aspx

Note **Chapter 6 - RMP Elements** addresses the coordination of **Federal, State and local government** agencies as well as **non-government agencies** (NGOs) to fulfill the safety related elements of the RMP, specifically:

- **Bureau of Land Management**
- **Marshall Gold Discovery Historic State Park**
- **CA Dept. of Parks & Recreation**
- **EDC Sheriff's Department**
- **Department of Transportation**
- **Environmental Management**
- **Code Enforcement**
- **Planning Commission**
- **EDC Fire Protection District**
- **American River Conservancy**

DOT CONCERNS – Jim Ware

1. The December 9, 2010 Planning Commission hearing regarding Special Use Permit #S08-0018 contains material relevant to DOT, Code and Law Enforcement on Mt. Murphy. I suggest you check with Pierre Rivas in Planning. He can provide detailed documentation of incidents concerning DOT maintenance on Mt. Murphy included in my appeal to the Commission dated November 26, 2010. **You'll find that file also addresses your comments regarding Bill Center.**
2. Residents were delighted with the 2006 improvements made to the lower portion of historic Mt. Murphy Road. The hard surface is safer, totally eliminates the dust clouds caused by increased traffic, doesn't erode into deep gullies or speed bumps, and lasts far longer than the inferior dirt & gravel composition. **It stands to reason that it would be more cost efficient to utilize the superior materials especially since its durability would require less regular DOT maintenance. The cost comparison between loads of the inferior versus the superior recycled road materials would be most helpful in determining a cost efficient, long term solution for this historic icon.** Thanks in advance for providing that information.
3. **Jeremy's suggestion to provide "No Parking" signs and boulders within the DOT easement on Robinson's private property still does not address the problem of frequent intrusions and damages caused by vehicles using my driveway as a turn around. I've heard a lot about what DOT *won't do*, but I'd be interested to know what the county proposes as an effective resolution to this perpetual safety & security issue?**

4. I pointed out that “No Parking” Signage is also needed at the corner of Mt. Murphy & Carvers Road where hikers and CDF crews park their vehicles. After a 2009 meeting in the Marshall Gold Discovery Park Supervisor Briggs indicated he would address this matter, but for two years he’s remained unresponsive to follow up inquiries. I acknowledged the CA State Parks staffing and maintenance deficit, but **isn’t it actually the responsibility of DOT to provide signs and services that are funded by our property taxes?**
5. Dumping has been a regular occurrence on Mt. Murphy. The ineffectiveness of the 8” x 10” sign posted up in the tree is apparent. A common sense solution would be to remove the absurd 4’ x 4’ signs located on Cold Springs Road and Lotus Road: “**Dogs worrying livestock will be shot.**” I suggest strategically relocating the signs after they’ve been repainted as “No Dumping” signs on Mt. Murphy Road.
6. Jeremy’s suggestion for DOT to look into an MOU for State Parks collecting use fees along county road right of way is a hot topic that came up at the November 2010 Annual RMAC meeting held in the Gold Discovery Park Museum. It again came up at another RMAC meeting in early 2011. **The concern was expressed that RMAC representatives are in collusion with State Parks to find a means to get around the failed Proposition 21 (DMV Fees/CA Parks Maintenance).** Like many other important discussions, that issue was censored from the RMAC minutes. COMPAS would appreciate being included in discussions about an MOU *prior* to submission to RMAC and the BOS.

MGDHSP – Jeremy McReynolds

The safety and security of private property surrounded by *inadequately monitored public land* is a growing concern of El Dorado County residents. Five arson fires within eight years have threatened private property owners upon historic Mt. Murphy. In the event of another emergency, of primary concern is the vital need to address ample egress on one-lane county roads that are obstructed by parked vehicles, and the safety & security issues caused by increasing tourist traffic.

1. The problems with land management and Code & Law Enforcement existed long before the budget crisis exploded in 2007. As you are aware, these issues have been perpetually minimized or evaded by RMAC and the government agencies listed on page two of this memorandum. Commissioner Walt Matthews best expressed the situation during the December 9, 2010 Planning Commission hearing, “*The Park is the problem instead of part of the solution.*” **The question remains: *When will the Park appropriately respond and contribute to the necessary solutions in the Coloma region?***
2. Clarification is necessary about the funding by CA State Parks to provide “No Parking” signage and their authority to issue citations on private property. My understanding from past dialogs with law enforcement is that CA State Parks has no authority on private property; they are limited to within the MGD Park boundaries.
3. Maintaining a defensible space was addressed in my correspondence dated November 20, 2010. It was my understanding that 24 hour notice would be given by CDF & Park maintenance crews to cut the fallen trees along our mutual boundary lines. Robert indicated the branches were to be stacked and burned during the winter, yet we are well into the fire season and the opportunity to burn has long passed. **What plans does the Park have to address this potential fire hazard within a reasonable time frame?**

4. During our walking tour I pointed out the cut fence on the east boundary towards Dutch Creek where trespassers frequently access my property. The NE boundary in the ravine along the miner's trench is also problematic since hikers utilize that path on my property to access the vantage point above Troublemaker rapids. It has been over four years yet requests for repairs to the fence erected by American River Conservancy have not been addressed nor have the "No Trespassing" signs been replaced. What plans does the Park have to utilize volunteers or Growlersberg crews to repair fences, replace signage, and address the problem of restoring fire access on my private property at Bayne Road?
5. Brief discussion was broached about an alternate trail to discourage trespassers from private property on Mt. Murphy. However this raises several questions about the size, wording and actual placement of the signs you proposed. I'd appreciate the opportunity to discuss this further before any action is taken.
6. Environmental Management has been uncooperative in providing public information regarding the Chili Bar Conceptual Plan and its relation to the **EDC Parks & Trails Master Plan**. Janet Postlewait and Kate Kirsh (Foothill Assoc.) have also been unresponsive to inquiries involving the Planning Commission, Parks & Recreation and land acquisitions by American River Conservancy. Transparency, safety and encroachments are valid concerns of residents adjacent to public land and trails. An appeal is now being made for CA State Parks to be forthright and cooperative in mitigating these matters.
7. Lack of privacy, security, Code and Law Enforcement on the S. Fork American River region historically has been cause of contention at RMAC meetings. No local representation has left residents feeling disenfranchised and frustrated with the "good old boys" network that has dominated our region. Since CA State Parks, Code Enforcement and the Sheriff's Office all share responsibility in the coordination of the RMP, it would therefore be advantageous for Sheriff D'Agostini to join us in a meeting to begin mitigating solutions for our river community. In anticipation of his support, I'll contact his assistant Lora Lyons to help coordinate a meeting.
8. Last but not least, the MOU-Management Plan that you proposed segued to the topic of our conversation in the parking lot regarding AB42. As you can ascertain, the RMP appears to be a major component in this Assembly Bill. Attached are concerns involving AB42 specific to the American River Conservancy and the Marshall Gold Discovery Historic State Park. It pretty well encompasses the purpose of our meeting and focus of this memo, matters that RMAC and Supervisor Briggs have taken great pains to circumvent.

Please let me know your thoughts about coordinating a follow up meeting to discuss these issues with representatives from the offices of Congressman McClintock, Senator Gaines and Assemblywoman Gaines.

Regards,

Melody Lane

Melody Lane
President – *COMPAS, Inc.*
Citizens **O**rganized to **M**onitor **P**rotect **A**nd **S**erve

AB 42 (Huffman)

CA STATE PARKS

Existing law gives control of the state park system to the Department of Parks and Recreation. Existing law authorizes the department to enter into agreements with an agency of the United States, a city, county, district, or other public agency or any combination thereof, for the care, maintenance, administration, and control by a party to the agreement of lands under the jurisdiction of a party to the agreement, for the purpose of the state park system.

This bill would authorize the department to enter into an operating agreement for the development, improvement, restoration, care, maintenance, administration, or operation of a unit or units, or portion of a unit, of the state park system, as identified by the director, with a qualified nonprofit organization, as provided. This bill would require the operating agreement to include, among other things, a requirement that the nonprofit organization annually submit a report to the department, to be available on the Internet Web site for both the department and the nonprofit organization. The bill would require the nonprofit organization and the district superintendent for the department to hold a joint public meeting for discussion of the report.

The bill would require the department to notify a Member of the Legislature of an intention to enter into an operating agreement relating to a park in the member's district, as well as notify specified committees of the Legislature. The bill would also require the department to report to the Legislature, on a biennial basis, the status of any operating agreement.

The bill would repeal these provisions on January 1, 2019.

PUBLIC CONCERNS RE AB42:

- What type of **contract agreement** between a non-profit and the state would be created?
- How does the bill AB 42 provide for **public involvement** outside of the nonprofit?
- What **conflict of interest** considerations are provided for in AB 42?
- Is the nonprofit (s) volunteering regarding payment for work provided in such agreements? **If not who funds what?**
- Is the state looking to provide **grant money (public money) to private nonprofits?**
- The PPP's can be a very **insidious and dangerous channeling away of public ownership** of and input into our park systems. The precedent of a nonprofit essentially lobbying and making their own agenda driven decisions rather than the state agencies that the public has already paid and tasked with oversight is a potential nightmare for the public.
- **Nonprofits as private do not have the transparency or disclosure requirements of a state agency and thus black holes of accountability are further formed.**
- With the public already having paid millions, billions into propositions and bonds for conservation purposes and water conservation purposes--why doesn't the state park system utilize this public gift itself, **hire more staff--** rather than delegate it to **private parties?**
- We now have PPPs without contracts or formal agreements that are acting as state agents. **This ongoing apparent misrepresentation is confusing to the public and does not provide even the small measure of accountability that the public has from our state agencies.**

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Thursday, May 12, 2022 4:46 PM
To: lori.parlin@edcgov.us
Cc: Kim Dawson; kaylee.runkle@edcgov.us; david.livingston@edcgov.us; Vickie Sanders; 'Donald Ashton'
Subject: 5/5/22 CLAC meeting minutes errors - Drone Footage of HLP
Importance: Low

Lori,

The county professes to be committed to Good Governance and Core Values, in particular **transparency, integrity and accountability**. Pursuant to your oaths of office, your explanation is in order pertaining to the erroneous 5/5/22 CLAC meeting minutes:

- 1) I noticed that the minutes of the 5/5/22 CLAC meeting were posted to the Calendar, but the audio is not available. Why has a GovDelivery notice not been distributed about this, and why is the audio not yet posted to the calendar?

Coloma Lotus Advisory Committee	5/5/2022	31	6:30 PM	https://edcgov-us.zoom.us/j/93731196233 330 Fair Lane, Building A Placerville, CA OR Live Streamed - Click here to view	Meeting details	Agenda	Minutes	Not available
Planning Commission	4/28/2022	31	8:30 AM	Building C Hearing Room 2850 Fairlane Court Placerville, CA 95667 Or Live-Streamed	Meeting details	Agenda	Minutes	Video

- 2) It is a matter of public record that Nate Rangel has a history of falsifying RMAC minutes, and it appears he has been continuing his fraudulent practices as Secretary of CLAC. The February 22, 2022 minutes indicate that CLAC passed under Consent the approval of meeting minutes held 11/30/21 and 1/11/22. However the 11/30/21, 1/11/22 and 2/22/22 CLAC meetings do not appear anywhere on the Calendar, nor were any public meeting announcements or minutes distributed as required by law. **This indicates that CLAC has been conducting serial meetings which the Brown Act strictly prohibits, thus the minutes are fraudulent and not in compliance with Good Governance and transparency laws:**

WHERE IS THE 11/30/21 CLAC MEETING POSTING?

Board of Supervisors	12/7/2021	31	9:00 AM	https://us06web.zoom.us/j/85699635366 330 Fair Lane, Placerville, CA or live-streamed	Meeting details	Agenda	Minutes	Video
Community Corrections Partnership	12/2/2021	31	1:30 PM	3974 Durock Rd. Suite 205, Shingle Springs, CA	Meeting details	Not available	Not available	Not available
Human Rights Commission	11/22/2021	31	4:00 PM	Virtual Meeting - See Below	Meeting details	Agenda	Minutes	Video
EDC Commission for Youth and Families	11/18/2021	31	4:00 PM	Virtual Special meeting for AB 361	Meeting details	Agenda	Minutes	Not available
Parks and Recreation Commission	11/18/2021	31	1:30 PM	Meeting has been cancelled. Meeting has been Cancelled	Meeting details	Agenda	Not available	Not available

WHERE IS THE 1/11/22 CLAC MEETING POSTING?

Planning Commission	1/13/2022	31	8:30 AM	Building C Hearing Room 2850 Fairlane Court Placerville, CA 95667 CANCELLED MEETING NOTICE	Meeting details	Agenda	Not available	Not available
Agricultural Commission	1/12/2022	31	6:30 PM	Zoom ONLY https://us06web.zoom.us/j/81440767114?pwd=TjRaMwVwyc0x6eUtrdTNZS2t6eUF2QT09 https://us06web.zoom.us/j/81440767114?pwd=TjRaMwVwyc0x6eUtrdTNZS2t6eUF2QT09	Meeting details	Agenda	Not available	Not available
Board of Supervisors	1/11/2022	31	9:00 AM	https://us06web.zoom.us/j/86758089003 Live Streamed - Click here to view	Meeting details	Agenda	Minutes	Video
Board of Supervisors	1/4/2022	31	9:00 AM	Virtual Meeting - Click here to view meeting https://us06web.zoom.us/j/89616484207	Meeting details	Agenda	Minutes	Video

WHERE IS THE 2/22/22 CLAC MEETING, AND WHERE WAS IT HELD?

Planning Commission	2/24/2022	 8:30 AM	Building C Hearing Room 2850 Fairlane Court Placerville, CA 95667 or live-streamed	Meeting details	 Agenda	 Minutes	 Video
Fish and Wildlife Commission	2/23/2022	 6:00 PM	Virtual Zoom: https://us06web.zoom.us/j/89609246023	Meeting details	 Agenda	 Minutes	 Video
Board of Supervisors	2/22/2022	 9:00 AM	https://us06web.zoom.us/j/86374463004 OR Live Streamed 330 Fair Lane, Building A Placerville, CA OR Live Streamed - Click here to view	Meeting details	 Agenda	 Minutes	 Video
Parks and Recreation Commission	2/17/2022	 3:00 PM	Meeting has been cancelled and will be rescheduled <i>Meeting has been cancelled and will be rescheduled</i>	Meeting details	 Agenda	 Minutes	Not available

3) The 5/5/22 minutes (below) indicate that there were “No Public Comments” under Item #5. This is in error. Nate Rangel invited me to come forward and I remained at the podium engaged in discussion for the remainder of the meeting. The audio will also reveal that Nate Rangel repeatedly violated the Brown Act by attempting to hold an “informal” meeting and deviating from procedures causing Kaylee Runkle to repeatedly remind Mr. Rangel about the basics of the Brown Act.



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
www.edcgov.us/bos/

MEETING AGENDA

Coloma Lotus Advisory Committee

Robert Bradshaw - Member at Large

*Keri Cavin - Non-Commercial Boater
Representative*

Darin Freeland

- Member at Large, Vice Chair

Howard Penn

- Member at Large, Chair

Nathan Rangel

- Commercial Outfitter Representative, Secretary

Sara Schwartz C.R. Kendall - Landowner/Resident Representative

David White - Landowner/Resident Representative

Thursday, May 5, 2022

6:30 PM

<https://edcgov-us.zoom.us/j/93731196233>

330 Fair Lane, Building A
Placerville, CA

5. [22-0811](#) Status of Off Site CLAC Meetings:
A) Grange upgrades
B) Clerk of the Board Office update on equipment status

Attachments: [Public Comment CLAC Rcvd 5-6-2022](#)

No Public Comment 

Member Penn gave an update on the status of Internet service at the Coloma Grange Hall.

Kaylee Runkle with the Clerk of the Board Office gave an update on status of portable audio and video equipment for off site committee and commission meetings.

#

- 4) As you are aware Howard Penn and Mike Bean recently banned me from CLNews relative to private correspondence about Howard's acquisition of the old Sierra Nevada House property; consequently the below CLNews posting was forwarded to me. For the record, I was the only member of the public present in the room or on Zoom during the 5/5/22 CLAC meeting. The audio will reveal that Mr. Rangel **invited** me up to the podium to speak, then he violated the Brown Act when he threatened to shut off the mic and adjourn the meeting after I directed relevant questions to Howard Penn. I specifically asked Howard if the Sierra Nevada House acquisition was going to be annexed to Henningson Lotus Park and the Marshall Gold Discovery Park, and other pertinent questions, but he refused to respond. Nate Rangel backed him up claiming he wasn't required to answer my questions. I corrected Nate and referred him to the attached Brown Act Rights of the Public that were also entered into the public record. Therefore please explain the following statement and why Howard Penn is acting as your agent: ***"If anyone is interested in helping do this, please let me know. This is for the county and Supervisor Parlin's office."***

From:

Sent: Wednesday, May 11, 2022 8:18 AM

To: Melody Lane

Subject: Fw: [CLNews] Drone Footage of HLP

From: clnews@googlegroups.com <clnews@googlegroups.com> on behalf of Howard Penn <howard@lbcomm.com>

Sent: Tuesday, May 10, 2022 7:55 PM

To: clnews@googlegroups.com <clnews@googlegroups.com>

Subject: [CLNews] Drone Footage of HLP

Hi folks,

Does anyone have a drone they know how to fly? We could use some drone footage of HLP beach front during a busy weekend like Memorial Day or other busy weekend this summer. We want to capture the use of HLP and how popular that park has become especially during Covid. We have still photos but an aerial video of the beach and the park use would be wonderful.

If anyone is interested in helping do this, please let me know. **This is for the county and Supervisor Parlin's office.**

Howard

Howard Penn | Managing Director/GM

5) The public is entitled to honest services, but it is apparent CLAC has something to hide. The questions that inquiring minds are now asking:

- What is Howard Penn really up to?
- Who else is involved?
- What role does CA State Parks play in this purchase and/or property development?
- Is EDC Planning & Development aware of any plans for this property?
- Why are the circumstances surrounding the SNH arson fire so secretive?
- Why weren't the collected funds distributed to SNH employees as intended?
- Are Howard Penn and the River Mafia Mob retaliating again for daring to expose the evil intentions of the CLNews Steering Committee?
- Why are they so hostile towards conservatives...or are they just afraid of the truth?
- Who really benefits from CLNews, and what are their political motives?
- How can such hate and deceitful tactics possibly be expected to unite the Coloma Lotus community?

###

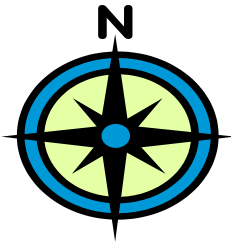
You are reminded that when you have knowledge of wrong doing, but fail to take remedial action, then you are complicit and liable. See: *U.S. v. Tweel* - "Silence can only be equated with **fraud** where there is a **legal or moral duty** to speak or where an **inquiry left unanswered would be intentionally misleading.**" Therefore District #4 constituents expect your immediate response to these issues in order they may be timely disseminated.

Regards,

Melody Lane

Founder – Compass2Truth

"Resistance to tyranny becomes the Christian and social duty of each individual...Continue steadfast and, with a proper sense of your dependence on God, nobly defend those rights which heaven gave, and no man ought to take from us." ~ John Hancock ~



Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

May 13, 2022

To: District #4 Supervisor Lori Parlin
DOT Director Rafael Martinez
Clerk of the Board Kim Dawson

CA PUBLIC RECORDS ACT REQUEST

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I therefore ask to obtain **via email** the DOT Mt. Murphy Bridge slide presentation made during the 5/12/22 Coloma Grange Hall Town Hall. These materials should be immediately accessible.

To avoid unnecessary delays or costs of duplication, electronic copies are acceptable and may be emailed directly to melody.lane@reagan.com in pdf format. **Access is always free.** Fees for "inspection" or "processing" are prohibited. (§ 6253)

The agency must justify the withholding of any record by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255) **If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the specific legal authorities on whom you rely.**

It is further requested that your determination be made within **10 days, or sooner**, as stipulated within the California Public Records Act, Government Code 6253(c). ***Note these time periods may not be used solely to delay access to the records. (§ 6253(d)) The law makes no provision for extensions due to Covid-19.**

Please do not hesitate to contact me immediately if you have any questions.

Sincerely,

Melody Lane

Founder – Compass2Truth

From: Melody Lane [mailto:melody.lane@reagan.com]

Sent: Monday, May 16, 2022 3:07 PM

To: 'Rafael Martinez'

Cc: 'El Dorado County Public Records Center'; 'Lori Parlin'; 'Donald Ashton'; 'The BOSFIVE'; 'bosfour'; 'The BOSONE'; 'The BOSTHREE'; 'The BOSTWO'; Kim Dawson; david.livingston@edcgov.us

Subject: RE: Public Records Request :: P004345-051622

Rafael,

I don't have time for your obstructionism and BS. My request specifically said to email me directly. (See attached PRA)

The county has no authority to limit the methods by which they respond to PRAs:

- **The agency may never make records available only in electronic form.** (§ 6253.9(e))
- **Access is immediate** and allowed at all times during business hours. (§ 6253(a)). Staff need not disrupt operations to allow immediate access, but a decision on whether to grant access must be prompt. An agency may not adopt rules that limit the hours records are open for viewing and inspection. (§ 6253(d); 6253.4(b))
- **The agency must provide assistance** by helping to identify records and information relevant to the request and suggesting ways to overcome any practical basis for denying access. (§ 6253.1)
- **The agency must justify the withholding of any record** by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255)

So are you refusing to provide this information?

Melody Lane

Founder – Compass2Truth

“You need a new Board [of Supervisors]. All of them. Hold their feet to the fire. Mine too. I work for you.” Sheriff John D’Agostini – August 16, 2011

From: Rafael Martinez [mailto:rafael.martinez@edcgov.us]

Sent: Monday, May 16, 2022 2:47 PM

To: Melody Lane

Cc: El Dorado County Public Records Center; Lori Parlin; Donald Ashton; The BOSFIVE; bosfour; The BOSONE; The BOSTHREE; The BOSTWO

Subject: Re: Public Records Request :: P004345-051622

Melody,

You are correct that there was no attachment to the email you received. However, enclosed in the email were instructions for you to retrieve the information through our Public Information Request site. Please click on the link in the email to access your public information request and all associated attachments.

Sincerely,

Rafael Martinez

Director

County of El Dorado

Department of Transportation

2850 Fairlane Court

Placerville, CA 95667

(530) 621-7533

rafael.martinez@edcgov.us

From: Melody Lane [mailto:melody.lane@reagan.com]

Sent: Monday, May 16, 2022 1:16 PM

To: 'El Dorado County Public Records Center'; lori.parlin@edcgov.us; rafael.martinez@edcgov.us

Cc: 'Donald Ashton'; bosfive@edcgov.us; bosfour; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

Subject: RE: Public Records Request :: P004345-051622

There was no PDF Power Point presentation attached as you indicated. Please immediately email the 5/12/22 Mt. Murphy Bridge PDF to melody.lane@reagan.com.

Thank you.

Melody Lane

Founder – Compass2Truth

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds. ~ John Whitehead ~

From: El Dorado County Public Records Center [mailto:eldoradocountyca@mycusthelp.net]

Sent: Monday, May 16, 2022 11:40 AM

To: melody.lane@reagan.com

Subject: Public Records Request :: P004345-051622

--- Please respond above this line ---

Dear Melody Lane,

Pursuant to California Government Code § 6253, I am writing in response to your Public Records Act (“PRA”) request, received on May 16, 2022, regarding Transportation’s Mt. Murphy Bridge Town Hall presentation on May 12, 2022 at the Gold Trail Grange in Coloma. I am submitting this letter within the ten day period for response set out in Government Code § 6253(c).

After a review, the County has determined that **it has non-exempt records** which are responsive to your request. We have already evaluated the items in your PRA request. Please see the following specific responses:

- **Request #1:** You asked for “the DOT Mt. Murphy Bridge slide presentation made during the 5/12/22 Coloma Grange Hall Town Hall.”
 - Response #1: A PDF of the PowerPoint presentation has been attached.

For the records released, you may access the records by visiting the El Dorado County Public Record Center at the following link: [Public Record Center](#). If you have any trouble accessing records, please contact my office as described below so that we can help resolve the problem.

Please note that all public record requests are limited only to records maintained in the normal course of business by the County and records that are within the County’s custody, control, and access. Please also note that we will not produce records that are privileged or otherwise exempt from disclosure pursuant to State and Federal laws, including exemptions identified in Gov. Code Section 6254, et seq., and additional exemptions specifically incorporated under Gov. Code Section 6254(k). This includes documents pertaining to pending litigation or claims, and documents protected by the attorney-client privilege, attorney work product, and official information privileges.

If you have any additional comments or clarifications, please contact my office at (530) 621-5900, select option 3 for engineering.

Sincerely,

Shanann Findley

Sr. Administrative Analyst
